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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND,

APPLICATION OF

ROBERT A. WINNEY

d/b/a THE WATER WORKS COMPANY

OF FRANKLIN COUNTY

CASE NO. PUE980057

For an increase in rates
and charges

ORDER DOCKETING APPLICATION AND AUTHORIZING RESPONSE

On February 2, 1998, Robert A. Winney d/b/a The Water Works Company of Franklin County ("Winney" or "Company") filed with the Commission documents including a "Revised No. 2 Rates, Rules and Regulations for Water Service and Territory Serviced by The Water Works Company of Franklin County, inc. as of March 11, 1998," and a "Notice to the Public of an Increase in Tariff by The Water Works Company of Franklin County, inc." There is no record of any Virginia corporation formed as The Water Works Company of Franklin County, Inc. so we will treat this as an application filed by an individual.

On February 20, 1998, the Commission Staff moved to dismiss this application on the grounds that the proposed rate revisions and notice to the public were so confusing that rejection of the proposed tariff provisions and dismissal on the application were warranted. The Staff also noted that the Company had appeared to

file prematurely its rate revision pursuant to the Small Water or Sewer Public Utility Act, §§ 56-265.13:1 to .13:7 of the Code of Virginia.

Upon consideration of the application and the motion, the Commission finds that Company should have an opportunity to respond to the Staff's motion. We will also docket the application and suspend the effective date of the proposed rates, charges, rules and regulations. At this time, the Commission will not determine whether the Company may use the simplified procedures for revising rates and charges provided by the Small Water or Sewer Public Utility Act. The Commission will, as provided by § 56-238 of the Code of Virginia, suspend the effective date of the proposed rates and charges for 150 days from the date of the filing. After further consideration of the record developed in this proceeding, we may modify or dissolve this suspension by subsequent order. Accordingly,

IT IS ORDERED THAT:

(1) This application of Robert A. Winney d/b/a The Water Works Company of Franklin County be docketed; be assigned Case No. PUE980057; and that all associated papers be filed therein.

(2) The proposed rates, charges, rules and regulations be suspended for 150 days from the date of filing to and through July 2, 1998.

(3) Robert A. Winney d/b/a The Water Works Company of Franklin County is authorized to file with the Clerk of the

Commission, Document Control Center, State Corporation

Commission, P.O. Box 2118, Richmond, Virginia 23218-2118 on or
before March 3, 1998, a reply to the Commission Staff Motion to
Dismiss.

(4) This matter is continued.